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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,400	12/30/2003	Frederick Schuessler	40116/03201	7568

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EXAMINER	
WEBB, JAMISUE A	

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/748,400	SCHUESSLER, FREDERICK	
	Examiner	Art Unit	
	Jamisue A. Webb	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilz, Sr. et al. (6,394,354) in view of Reiter (7,062,474) and Bilibin et al. (US 2005/0197892).

2. With respect to **Claim 1**: Wilz discloses a method for providing a user with a personalized shipment system, comprising:

a. registering a user by obtaining user data (Column 26, lines 60-65 wherein the user is the "shipper" and the shipper is given a unique Shipper Identification Number which Examiner considers to be the same as registering);

b. associating the user data with a unique user identifier (Column 26, lines 60-65 wherein Examiner interprets the Shipper Identification Number to be equivalent to a "unique user identifier");

c. generating label data for each of a plurality of labels (Column 26, lines 25-29), each label including a unique label identifier a machine language (Column 26, lines 25-29);

d. associating the label identifier with the user identifier in computer database (Column 26, lines 16-20 and also Column 26, 55-68);

e. receiving an item to be shipped including one of the labels and recipient data including a destination data of the item (Column 26, lines 25-30);

f.

g. obtaining the unique label identifier and the machine language destination data from the item using a machine capable of reading the machine language during the shipment of the item (Column 26, 53-67 wherein Examiner considers Wilz's "unique number assigned to each package", line 61 to be equivalent to "unique label identifier" and "destination data" to be equivalent to "Destination Information Field" line 65);

h. recording in the computer database tracking data based on the machine language unique label identifier and the machine language data (Column 26, 55-60).

3. Wilz discloses putting shipping information into machine readable code, however, fails to disclose determining if the label is in machine readable format, and if it is not, then translating non-readable format into a machine readable format. Reiter discloses, using an OCR that reads the address information and translating that in a barcode and the non-machine readable letters are separated and turned to a separate barcode, therefor a determining step must be done (Column 5, lines 13-25). It would have been obvious to one having ordinary skill in the art at the time the invention was made, to modify Wilz to include the feature of determining if the data is in machine readable format, and if it is not, then converting the data into machine readable format, as disclosed by Reiter, in order to increase the efficiency in sorting and mailing, See Reiter Column 2.

4. Wilz discloses tracking the package using the user identifier, however fails to disclose tracking the package data using only the user identifier. Bilibin discloses the use of a user

registering with a system, and where the user ID is used and a package table associated with the user, is displayed (See Paragraph 0408), therefore the examiner considers this using only the user id to obtain tracking information. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Wilz to include the package table of Bilibin, in order to easily look up information in a users account, and for a user to more easily keep track of his/her own shipments (See Bilibin, Pages 1, 28 and 29)

5. With respect to **Claim 2**: Wilz discloses the machine language unique label identifier and the machine language destination data are stored on the item in form one of a barcode and an RFID tag (Column 26, line 26 and Fig 11B).

6. With respect to **Claim 3**: Wilz discloses generating, using the label data, the plurality of labels by at least one of the user, postal delivery service and a predetermined third party provider (Column 26, 25-28).

7. With respect to **Claim 4**: Wilz discloses wherein the tracking data includes time data and location data corresponding to the scanning (Figure 11B, 55L).

8. With respect to **Claim 5**: Wilz discloses wherein the label data is stored in at least one of a barcode and an RFID tag (Column 26, line 26 and Fig 11B).

9. With respect to **Claim 6**: Wilz discloses the machine language destination data includes at least one recipient name and a recipient address code (Column 26, 25-29).

10. With respect to **Claim 7**: Wilz discloses the machine language destination data includes a further code identifying each of a plurality of recipient names which have the same recipient address code (Column 26, 25-29).

11. With respect to **Claim 8**: Wilz discloses the label data includes optional additional data generated by the user (Column 27, 1-12 which discloses Delivery Instructions Field which is equivalent to optional additional data according to Applicant's specification Page 5 [0010] and Column 27, 20-30 wherein Wilz discloses explicitly an Other Information Field).

12. With respect to **Claim 9**: Wilz discloses wherein the label data, the destination data and postage data are stored on the label as a two-dimensional barcode (Fig 13, 57 and Column 26, 25-29).

13. With respect to **Claim 10**: Wilz discloses associating by the user the recipient address code with a predetermined recipient identifier (Fig 11B 55E and 55D, wherein Examiner considers the "Destination Identification Field" to be equivalent to the recipient identifier).

14. With respect to **Claim 11**: Wilz discloses the tracking data includes the optional additional data (Column 27, 1-12 which discloses Delivery Instructions Field which is equivalent to optional additional data according to Applicant's specification Page 5 [0010] and Column 27, 20-30 wherein Wilz discloses explicitly an Other Information Field and FIG 11B 55G).

15. With respect to **Claim 12**: Wilz discloses the tracking data includes an arrival date indicative of one an actual date and an estimated date of arrival of the item at the destination (See FIG 11B and Column 27, 12-13 wherein Wilz discloses disclosing the "expected date of deliver" which is the equivalent of the estimated date of arrival).

16. With respect to **Claim 13**: Wilz discloses a system for providing a user with a personalized shipment system for shipment of an item, comprising:

i. a first computing arrangement generating label data for each plurality of labels, each label including a unique label identifier in a machine language (Figs 8 and 9 and Column 26, 12-32);

j. a second computing arrangement including a database and storing user data in the database, the second computing arrangement associating the user data with a unique user identifier and associating the unique label identifier with the user identifier in the database (Figs 8 and 9 and Column 26, 12-32);

k. a first shipment processing arrangement receiving an item to be shipped (inherently Wilz must receive an item to be shipped), the item including one of the labels and recipient data including destination data of the item (Column 26, 25-29),

l. a second shipment processing arrangement obtaining the machine language unique label identifier and the machine language destination data from the item during the shipment (Column 28, 34-43), the second shipment processing arrangement recording in the database tracking data based on the association of the label identifier and the destination data (Column 28, 45-50).

17. Wilz discloses putting shipping information into machine readable code, however, fails to disclose determining if the label is in machine readable format, and if it is not, then translating non-readable format into a machine readable format. Reiter discloses, using an OCR that reads the address information and translating that in a barcode and the non-machine readable letters are separated and turned to a separate barcode, therefor a determining step must be done (Column 5, lines 13-25). It would have been obvious to one having ordinary skill in the art at the time the invention was made, to modify the first shipment processing arrangement of Wilz to

include the feature of determining if the data is in machine readable format, and if it is not, then converting the data into machine readable format, as disclosed by Reiter, in order to increase the efficiency in sorting and mailing, See Reiter Column 2.

18. Wilz discloses tracking the package using the user identifier, however fails to disclose tracking the package data using only the user identifier. Bilibin discloses the use of a user registering with a system, and where the user ID is used and a package table associated with the user, is displayed (See Paragraph 0408), therefore the examiner considers this using only the user id to obtain tracking information. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Wilz to include the package table of Bilibin, in order to easily look up information in a users account, and for a user to more easily keep track of his/her own shipments (See Bilibin, Pages 1, 28 and 29)

19. With respect to **Claim 14**: Wilz discloses the machine language unique label identifier and the machine language destination data are stored on the item in one of a barcode and an RFID tag, and wherein the first shipment processing arrangement includes at least one of a barcode reader, a barcode writer, an RFID tag reader and an RFID tag writer (Figs 9, 10, 11, 13 and 14 and Column 26, 25-29).

20. With respect to **Claim 15**: Wilz discloses a printing arrangement generating the plurality of labels by at least one of the user, a postal delivery service and a predetermined third party provider using the label data (Fig 9, 35 and Column 26, 25-29).

21. With respect to **Claim 16**: Wilz discloses the printing arrangement includes at least one of a barcode writer and an RFID tag writer (Fig 9, 35 and 37 and Column 26, 25-29).

22. With respect to **Claim 17**: Wilz discloses the tracking data includes time and location data corresponding to receipt of the item by the second shipment processing arrangement (Fig 11B, 55M-J and Fig 14, A-C).

23. With respect to **Claim 18**: Wilz discloses the machine language recipient data includes at least one recipient name and a recipient address code (Column 26, 25-29).

24. With respect to **Claim 19**: Wilz discloses the machine language destination data includes a further code identifying each of a plurality of recipient names which have the same recipient address code (Figure 11B and Column 26, 65-67 wherein Wilz discloses a destination information field which is certainly capable of having a plurality of names which have the same recipient address code).

25. With respect to **Claim 20**: Wilz discloses the label data includes optional additional data generated by the user (Column 27, 1-12 which discloses Delivery Instructions Field which is equivalent to optional additional data according to Applicant's specification Page 5 [0010] and Column 27, 20-30 wherein Wilz discloses explicitly an Other Information Field).

26. With respect to **Claim 21**: Wilz discloses the label data, the machine language recipient data and postage data are stored on the label as a two-dimensional barcode (Fig 13, 57 and Column 26, 25-29).

27. With respect to **Claim 22**: Wilz discloses the user associates the recipient address with a recipient identifier (Column 26, 25-29).

28. With respect to **Claim 23**: Wilz discloses the machine language recipient data includes a further code indicative of each of a plurality of recipients located at the destination (Figure 11B, 55D and Column 26, 65-67 wherein Wilz discloses a destination information field which the

system is certainly capable of having a further code indicative of a plurality of recipients located at the destination because it also has a separate Zip Code field).

29. With respect to **Claim 24**: Wilz discloses the tracking data includes an arrival date indicative one of an actual date and an estimated date of arrival of the item at the destination (See FIG 11B and Column 27, 12-13 wherein Wilz discloses disclosing the "expected date of deliver" which is the equivalent of the estimated date of arrival).

Response to Arguments

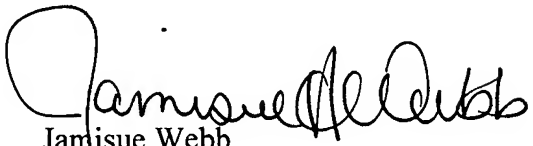
Applicant's arguments with respect to claims 1 and 13 are considered persuasive, and the rejection is modified above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamisue A. Webb whose telephone number is (571) 272-6811. The examiner can normally be reached on M-F (7:30 - 4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Art Unit 3629